

4134

BILL NO. Z-78- 07-17

ZONING MAP ORDINANCE NO. Z-20-78

AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. DD13

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated  
an M1 District under the terms of Chapter 33, Municipal Code of the City of  
Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning  
Map No. DD13, referred to therein, established by Section 33-11, of said  
Chapter are hereby changed accordingly, to wit:

Lots 9, 10 and 11 in Woodlawn Park Addition to the City of  
Fort Wayne, according to the plat thereof, recorded in  
Plat Record 28, Pages 33-34.

SECTION 2. That this Ordinance shall be in full force and effect  
from and after its passage, approval by the Mayor and legal publication  
thereof.

Vincent J. Schmidt  
Councilman

APPROVED AS TO FORM & LEGALITY:

Clifford E. Simon  
Clifford E. Simon, Jr.,  
Associate City Attorney

APPROVED AS TO FORM  
AND LEGALITY,

M. A. Simon  
M. A. Simon  
CITY ATTORNEY

Read the first time in full and on motion by J. Schmidt, seconded by

Hunter, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers,

City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock M.E.S.T.

DATE: 7-25-78

Charles W. Stierman  
CITY CLERK

Read the third time in full and on motion by J. Schmidt, seconded by HINGA, and duly adopted, placed on its passage.

PASSED ~~(LOST)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u><del>X</del></u>	<u>X</u>	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 9-26-78

Charles W. Stierman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. 3-20-78 on the 26<sup>th</sup> day of September, 1978  
ATTEST: (SEAL)

Charles W. Stierman  
CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27<sup>th</sup> day of September, 1978, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Stierman  
CITY CLERK

Approved and signed by me this 28<sup>th</sup> day of September, 1978, at the hour of 10 o'clock

Robert E. Armstrong  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 25, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-07-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

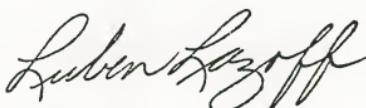
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 15, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 28, 1978.

Certified and signed this  
5th day of September 1978.



Luben Lazoff  
Secretary

Bill No. Z-78-07-17

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. DD13

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD J. SCHMIDT

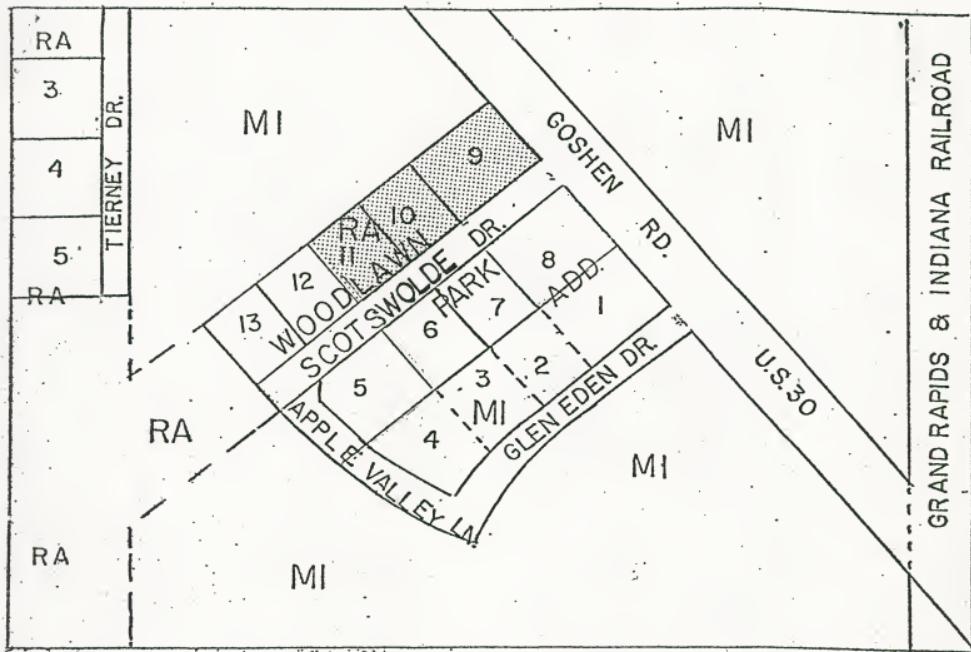
JAMES S. STIER

Vivian G. Schmidt

William T. Shuga

William, John  
E. Schmidt

9-20-78 CONC'D.  
DATE CHARLES W. WEISBERG



REZONE FROM RA TO MI

MAP NO DD 13

Z-78-0424 + Z-78-0717

BY M.F.C. 3-31-78

GRAND RAPIDS & INDIANA RAILROAD

LAW OFFICES

**SHOAFF, KEEGAN, BAIRD & SIMON**

JOHN D. SHOAFF  
ROBERT Y. KEEGAN  
RICHARD F. BAIRD, JR.  
CLIFFORD E. SIMON, JR.  
GEORGE T. DODD  
THOMAS M. SHOAFF  
THOMAS M. MOORHEAD  
N. REED SILLIMAN  
DAVID A. SCOTT  
JOHN R. BURNS, III

2400 FORT WAYNE NATIONAL BANK BUILDING  
FORT WAYNE, INDIANA  
46802

July 17, 1978

FRED B. SHOAFF  
1877-1981  
AREA CODE 219  
TELEPHONE  
423-4492  
LOUIS F. NIEZER  
OF COUNSEL

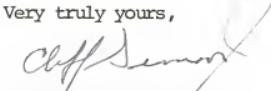
Common Council  
City of Fort Wayne  
City-County Building  
Fort Wayne, Indiana 46802

Council Members:

Attached hereto is a proposed Rezoning Ordinance affecting Lots 9, 10 and 11 in Woodlawn Park Addition to the City of Fort Wayne. Also attached hereto is a copy of Zoning Map Ordinance #Z-13-78, signed by Vivian G. Schmidt which the Council apparently approved several weeks ago.

The new Ordinance is submitted because the description in the original Ordinance was in error. The original Ordinance, which was heard by the Plan Commission and given a "do pass" recommendation contained the description of Lots 9, 10 and 11 in Woodlawn Addition. Apparently, through a scrivener's error, Lots 10 and 11 were left out of the Ordinance as it was submitted to the Common Council. The new Ordinance is submitted for the purpose of correcting the original scrivener's error and to effect the rezoning of all three of the lots pursuant to the recommendation of the City Plan commission. If there are any questions, please contact the undersigned or Pat Biancaniello at the City Plan Commission.

Very truly yours,



Clifford E. Simon, Jr.,  
Associate City Attorney

CESJr/mcp  
Enclosure



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

October 2, 1978

Ms. Virginia Grace  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, In 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of October 5, and October 12, 1978, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Zoning Map Ordinances

Bill No. Z-78-07-17  
Zoning Map Ordinance  
No. Z-20-78

Bill No. G-78-07-16  
General Ordinance No.  
G-24-78

Please send us 10 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,  
*Charles W. Westerman*  
Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 1



LEGAL NOTICE

Notice is hereby given that on the 26th day of September, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-07-17 -- Zoning Map Ordinance No. Z-20-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD13

Notice is hereby given that on the 26th day of September, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-78-07-16 -- General Ordinance No. G-24-78, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-78-07-17 -- Zoning Map Ordinance No. Z-20-78 and Bill No. G-78-07-16 -- General Ordinance No. G-24-78, were passed by the Common Council on the 26th day of September, 1978, and said Ordinances were duly signed and approved by the Mayor on the 28th day of September, 1978, and now remains on file and on record in my office.

Copies of said Bill No. Z-78-07-17 -- Zoning Map No. Z-20-78 and Bill No. G-78-07-16 -- General Ordinance No. G-24-78, are posted in the following places in Fort Wayne, Allen County, Indiana

- (1) The main floor lobby of the City-County Building
- (2) the bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin Board in the lobby at the east door of the Allen County Court House

Copies of said Bill No. Z-78-07-17 -- Zoning Map No. Z-20-78 and Bill No. G-78-07-16 -- General Ordinance No. G-24-78, are also available for reading in the following public places in Fort Wayne, Indiana

- (4) The Reference Room in the north end of the main floor in said Downtown Public Library
- (5) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

Charles W. Westerman  
Charles W. Westerman  
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and post the above Ordinances in the designated places as stated above on October 5, 1978

Charles W. Westerman  
Charles W. Westerman  
City Clerk

Common Council of Fort Wayne  
(Governmental Unit)

Allen County, Ind.

To... JOURNAL-GAZETTE

Dr.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head	number of lines	_____
Body	number of lines	67
Tail	number of lines	2
Total number of lines in notice		69

## COMPUTATION OF CHARGES

69 lines, 1 columns wide equals 69 equivalent lines at .259¢ cents per line \$ 17.87

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 4.00

## TOTAL AMOUNT OF CLAIM

\$ 21.87

## DATA FOR COMPUTING COST

9.9

Width of single column 16 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Notice is hereby given that on the 26th day of September, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session and passed the following Bill No. Z-78-07-17 — General Map Ordinance No. G-24-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD12.

Notice is hereby given that on the 26th day of September, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session and passed the following Bill No. Z-78-07-17 — General Map Ordinance No. G-24-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD12.

Notice is hereby given that on the 26th day of September, 1978, the Common Council of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-78-07-17 — Zoning Map Ordinance No. Z-78-07-17 — General Map Ordinance No. G-24-78, were passed by the Common Council on the 26th day of September, 1978, and said Ordinance were duly signed and approved by the Mayor on the 26th day of September, 1978, and now remains on file and may be inspected in my office.

Copies of said Bill No. Z-78-07-17 — Zoning Map No. Z-78-07-17 and Bill No. G-78-07-16 — General Ordinance No. G-24-78, are posted in the following places in Fort Wayne, Allen County, Indiana:

(1) The main floor lobby of the City Clerk's Office.

(2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library.

(3) The bulletin Board in the lobby at the east door of the Allen County Court House.

Copies of said Bill No. Z-78-07-17 — Zoning Map No. Z-78-07-17 and Bill No. G-78-07-16 — General Ordinance No. G-24-78, are posted in the following places in Fort Wayne, Indiana:

(1) The Reading Room in the north end of the main floor in said Downtown Public Library.

(2) The Journal of the Common Council in the Office of the City Clerk of Fort Wayne, Indiana.

ing. Fort Wayne, Indiana CHARLES W. WESTERMAN City Clerk

1. Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, affixed his signature to the above Ordinances in the designated places as stated above on October 5, 1978.

CHARLES W. WESTERMAN City Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

9 10/5-12/78

Subscribed and sworn to before me this 12th day of

October 19 78

Notary Public

My commission expires September 28, 1979

Common Council of Fort Wayne  
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines \_\_\_\_\_

Body number of lines 67Tail number of lines 2Total number of lines in notice 69

## COMPUTATION OF CHARGES

69 lines, 1 columns wide equals 69 equivalent lines at .25¢ cents per line \$ 17.87

Additional charge for notices containing rule or tabular work (50 per cent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (50 cents for each proof in excess of two) 4.00

TOTAL AMOUNT OF CLAIM \$ 21.87

## DATA FOR COMPUTING COST

Width of single column M ems 9.9 Size of type 5½ point

Number of insertions 2 Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Title.....

CLERK

Date October 12, 1978

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DE WALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town of \_\_\_\_\_ in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s., the dates of publication being as follows:

9 10/5-12/78

Subscribed and sworn to before me this 12th day of October 1978

Notary Public

My commission expires September 28, 1979CH COPY OF  
SEGMENT HERE

G-78-07-16 — General Ordinance No. Z-26-78 and Bill No. G-24-78, as passed in the following places in Fort Wayne, Allen County, Indiana:

(1) The main floor lobby of the City-Court Building in the lobby of the Downtown Fort Wayne Public Library.

(2) The bulletin board in the lobby at the east door of the Allen County Court House.

Copies of said Bill No. Z-78-07-16 — Zoning Map No. Z-26-78 and Bill No. G-78-07-16 — General Ordinance No. Z-26-78 and Bill No. G-24-78, are also being read in the following public places in Fort Wayne, Indiana:

(3) The main floor lobby in the north end of the main floor in said Downtown Public Library.

(4) The main office of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana.

I, Charles W. Westerman, City Clerk of the City of Fort Wayne, Indiana, have filled and posted the above Ordinances in the designated places as stated above on October 12, 1978.

CHARLES W. WESTERMAN  
City Clerk

Common Council of Fort Wayne  
(Governmental Unit)

To THE NEWS-SENTINEL

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

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— number of equivalent lines

Head number of lines

Body number of lines

67

Tail number of lines

2

Total number of lines in notice

69

## COMPUTATION OF CHARGES

69 lines, 1 columns wide equals 69 equivalent lines at .2 59¢ cents per line \$ 17.87

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

4.00

## TOTAL AMOUNT OF CLAIM

\$ 21.87

## DATA FOR COMPUTING COST

9.9

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Demandant to the provision and penalties of Ch. 89, Acts 1967,

Notice is hereby given that on the 26th day of September, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-78-07-13 — Zoning Map Ordinance No. Z-20-78, — General Ordinance No. 4-24-78 — General Ordinance amending the City of Fort Wayne Zoning Map No. DDI3.

Notice is hereby given that on the 26th day of September, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-78-07-16 — General Ordinance No. G-24-78 — General ORDINANCE amending General Ordinance 1978, authorizing the vacation of a certain alley.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-78-07-13 — Zoning Map Ordinance No. Z-20-78 and Bill No. G-24-78, General Ordinance No. G-24-78, were passed by the Common Council on the 26th day of September, 1978, and said Ordinances were duly signed and approved by the Mayor on the 26th day of September, 1978, and now remain in record in my office.

Copies of said Bill No. Z-78-07-17 — Zoning Map No. Z-20-78 and Bill No. G-24-78, General Ordinance No. G-24-78, are public records in the places in Fort Wayne, Allen County, Indiana.

(1) The main floor lobby of the City-County Building  
(2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library  
(3) The bulletin board in the lobby at the rear door of the Allen County Court House

Copies of said Bill No. Z-78-07-17 — Zoning Map No. Z-20-78 and Bill No. G-24-78, General Ordinance No. G-24-78, are also available for reading in the following public places in Fort Wayne, Indiana:

(4) The Reference Room in the north end of the main floor in said Downtown Public Library  
(5) The Journal of the Common Council Proceedings in the Office of the City Clerk of the City of Indiana, Room 122, City-County Building, Fort Wayne, Indiana

CHARLES W. WESTERMAN  
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, I have filled and posted the above Ordinances in the designated places as stated above on October 5, 1978.

CHARLES W. WESTERMAN  
City Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL

DAILY newspaper of general circulation printed and published in the English language in the city FORT WAYNE, INDIANA town of in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

10/5/78

Subscribed and sworn to before me this 12th day of October, 1978

Notary Public

My commission expires September 28, 1979

## Form Prescribed by State Board of Accounts

Common Council of Fort Wayne  
(Governmental Unit)

To THE NEWS-SENTINEL

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

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Tail number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

69 lines, 1 columns wide equals 69 equivalent lines at .2 59¢  
cents per line

\$ 17.87

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

4.00

## TOTAL AMOUNT OF CLAIM

\$ 21.87

## DATA FOR COMPUTING COST

9.9

Width of single column 11 ems

Size of type  $5\frac{1}{2}$  point

Number of insertions 2

Size of quad upon which type is cast  $5\frac{1}{2}$ 

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*V.E. Gerken*

Date October 12, 1978

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town of \_\_\_\_\_, in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

10/5-12/78

*V.E. Gerken*

Subscribed and sworn to before me this 12th day of October, 1978

Notary Public

My commission expires September 28, 1979

Copies of said Bill No. Z-78-07-17, Z-78-07-18, General Ordinance No. G-78-07-16, General Ordinance No. G-78-07-16, are posted in the following places in Fort Wayne, Allen County, Indiana:

(1) The main floor lobby of the City-County Building

(2) The main floor lobby board in the lobby of the Downtown Fort Wayne Public Library

(3) The bulletin board in the lobby at the east door of the Allen County Court House

Copies of said Bill No. Z-78-07-17 - Z-78-07-18 and Bill No. G-78-07-16 - General Ordinance No. G-78-07-16, are also available for reading in the following public places in Fort Wayne, Indiana:

(4) The Reference Room in the north entrance of the library in said Downtown Public Library

(5) The Journal of the Common Council, accessible to the public at the City Clerk of Fort Wayne, Indiana, Room 122, City County Building, Fort Wayne, Indiana

CHARLES W. WESTERMAN  
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, have filled and posted the above Ordinances in the designated places as stated above.

CHARLES W. WESTERMAN  
City Clerk